

NO. 72123

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 12 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 11 1989 under 52860

The applicant **Mike Workman c/o Lyon County Utilities Department** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Effluent (Primary)**
2. The amount of water applied for is **6.2 CFS, NTE 4,480.58 AFA** second-feet
 - (a) If stored in reservoir give number of acre-feet **1,720 Acre-Feet (140 days storage)**
3. The water to be used for **Determined by secondary applications Primary Storage**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **See Secondary Applications**
 - (b) Stockwater, state number and kinds of animals to be watered **N/A**
 - (c) Other use (describe fully under No. 12. "Remarks") **N/A**
 - (d) Power:
 - (1) Horsepower developed **N/A**
 - (2) Point of return of water to stream **N/A**
5. The water is to be diverted from its source at the following point **SE¹/₄ NE¹/₄ of Section 19, T.16N., R.22E., or at a point from which the NE corner of said Section 19 bears N. 7° 50' 09" E., a distance of 2330.54 feet. Please see map on file in support of Permit 52860 for P.O.D.**
6. Place of Use **The Place of Use for this primary application is within the Dayton Utilities Service Area to transport and/or store effluent prior to being placed to beneficial use. Please refer to Exhibit "A".**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Treatment plant, aeration ponds, polishing ponds, and storage ponds**
9. Estimated cost of works **\$24,500,000.00**
10. Estimated time required to construct works **Expansion of treatment facility to be completed within 10 years**
11. Estimated time required to complete the application of water to beneficial use **To be determined by secondary applications**
12. Remarks: **There is an existing primary Permit No. 52860 for the South Dayton WWTF and an existing secondary Permit No. 52860-S1 for the Dayton Valley Country Club Golf Course. The intent of this application is to increase the amount of appropriation to equal**

the capacity of the South Dayton WWTF at final build-out. The source of water is sewage effluent resulting from the South Dayton WWTF.

Chuck Zimmerman
Brown and Caldwell
By s/ Chuck Zimmerman
3264 Goni Rd., Suite 153
Carson City, Nevada 89706

Compared gkl/sc _____ w/ gkl _____

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This primary permit is issued under the authority of NRS 533.440 (Secondary Applications are required for the use of the appropriated effluent) and is only a temporary allowance and the quantity granted may exceed the effluent discharged. The final water right obtained will be dependent upon the amount of effluent actually placed to beneficial use under the secondary permits. A totalizing meter must be installed at the discharge near the point of diversion and accurate measurements must be kept of effluent discharged. Granting of this permit is not intended in any way to waive or affect authority or requirements of appropriate water quality control agencies or regulations. This permit is further issued subject to the provisions of NRS 533.395 and the State retains the right to regulate the use of water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined rate of diversion and duty of effluent under this primary storage permit and primary storage Permit 52860 shall not exceed 7.2 cubic feet per second and 4730.58 acre-feet annually, respectively.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.20 cubic feet per second, but not to exceed 4480.58 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 14, 2011

Proof of completion of work shall be filed on or before:

May 14, 2011

Water must be placed to beneficial use on or before:

N/A

Proof of the application of water to beneficial use shall be filed on or before:

N/A

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 14th day of April, A.D. 2006


State Engineer

Completion of work filed _____

Proof of beneficial use filed N/A _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____

EXHIBIT "A"

Question #6 – Proposed Place of Use

T.16 N., R.21 E., M.D.B. & M.:

All of Section 1; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2; All of Section 11; SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 12; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of the W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 13; E $\frac{1}{2}$, Section 14; SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$, Section 23; N $\frac{1}{2}$ Section 24; Portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26; ~~SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Portion of the S $\frac{1}{2}$, SE $\frac{1}{4}$ lying North of the Carson River~~, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 27; E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 28; NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 33; N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 34; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35. Snc

T. 16 N., R. 22 E., M.D.B. & M.:

All of Section 3; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4; N $\frac{1}{2}$, Section 5; NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the S $\frac{1}{2}$ NE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6; W $\frac{1}{2}$ W $\frac{1}{2}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 9; NW $\frac{1}{4}$ Section 16; All of Section 17; S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18; All of Section 19, All of Section 20.

T. 17 N., R. 21 E., M.D.B. & M.:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36.

T. 17N., R. 22 E., M.D.B. & M.:

E $\frac{1}{2}$ SW $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ lying within Lyon County, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22; Portions of the N $\frac{1}{2}$ NE $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 27; Portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 28; S $\frac{1}{2}$ Section 29 lying within Lyon County; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30; All of Section 31 lying within Lyon County; N $\frac{1}{2}$ N $\frac{1}{2}$, Portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$, Portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32; Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33; SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 34. Snc

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.

RK
3/4/05
Came